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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/673,194	09/30/2003	Robert M. Currie	C2ABU007.14	9620
7590 12/15/2004 Merek, Blackmon & Voorhees, LLC 673 S. Washington St. Alexandria, VA 22314			EXAMINER TON, ANABEL	
			ART UNIT 2875	PAPER NUMBER

DATE MAILED: 12/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

Office Action Summary	Application No.	Applicant(s)	
	10/673,194	CURRIE ET AL.	
	Examiner	Art Unit	
	Anabel M Ton	2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 14, 15 and 18-20 is/are rejected.
- 7) ☒ Claim(s) 9-13, 16 and 17 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-6,14 are rejected under 35 U.S.C. 102(b) as being anticipated by Tjonneland (5,995,702).

3. Tjonneland discloses an illuminated rope comprising at least one translucent core component at least one light source selectively emitting light through said at least one translucent core component said at least one translucent core component emitting the light received from the at least one light source radially therefrom and at least one externally disposed elongate component of translucent stranded fiber surrounding and enclosing said at least one translucent core component diffusing light emitted therefrom and having a continuously and uniformly lighted appearance when said at least one light source is activated (Col. 4 lines 32-35, col. 5 lines 16-44, fig 6); the translucent fiber is selected from the group consisting of a braided rope having a hollow core with the translucent core component disposed within the hollow core of the braided rope and solid twisted rope spirally wrapped about the translucent core component(figs 12-15 and 24); at least one pattern woven into the braided rope (fig 26); the translucent core component comprises at least one elongate strand of fiber optic material having a first

and opposite first end and the at least one strand of fiber optic material is selected from the group consisting of flexible and rigid strands of fiber optic material (col. 5 lines 1-21); at least one translucent core component has a solid core and at least one light source disposed at a corresponding said end of the at least one translucent core component (inherent since all fiber optic lighting devices must have a light source at one end to produce a subsequent illumination of the optical fibers); at least one translucent core component comprises a hollow tube and the at least one light source comprises a plurality of spaced apart lights disposed internally within the hollow tube; a translucent tubular overlay disposed externally about the surrounding stranded fiber material (64, fig 23)

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 7,8,15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tjonneland as applied to claim 4 above, and further in view of Conti et al (6,742,909).

6. Tjonneland discloses the claimed invention except for the recitation of at least one portable modular adapter for removably connecting at least one end of the translucent core component thereto. Conti discloses such a limitation in combination with lighted rope design. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the adapter as recited by Conti in the device of

Tjonneland for the purpose of providing a power source and a light source for an illuminated rope apparatus. With regards to the plurality of translucent shell portions installed about and substantially surrounding the light source and support structure, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have a plurality of shell portions since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8.

7. Claims 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tjonneland and further in view of Knauer et al (6,450,677).

8. Tjonneland discloses at least one elongate fiber optic strand having a first and a second end opposite the first end; at least one light source selectively emitting light through the at least one fiber optic strand the at least one fiber optic strand emitting the light received from the at least one light source radially (inherently for a fiber optic strand to emit light a light source must be placed in a housing at a first end to emanate light through the strand) therefrom; at least one externally exposed elongate component of translucent stranded fiber surrounding and enclosing the at least one fiber optic strand diffusing light emitted therefrom and having a continuously and evenly lighted appearance when at least one light source is activated. Tjonneland does not disclose a connector body having at least two illuminated rope end sockets. Knauer discloses a fiber optic lighting system including a remotely located light source; the fiber optic cables linked with various coupler and splitter devices to link together additional cables, light fixtures. It would have been obvious to one of ordinary skill in the art at the time the

invention was made to implement the coupler devices as taught by Knauer et al in the device of Tjonneland for the purpose of connecting the fiber optic strands together to provide a continuous selectively elongated illumination system.

Allowable Subject Matter

9. Claims 9-13,16,17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anabel M Ton whose telephone number is (571) 272-2382. The examiner can normally be reached on 08:00-16:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Anabel M Ton

Application/Control Number: 10/673,194
Art Unit: 2875

Page 6

AMT

Examiner
Art Unit 2875


Stephen Husar
Primary Examiner